

**Naples City Council  
September 25, 2014  
Minutes**

The regularly scheduled meeting of the Naples City Council was held September 25, 2014, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

***DATE, TIME & PLACE OF  
MEETING***

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

***COUNCIL MEMBERS  
ATTENDING***

Others attending were Dustin Surrege, Dale Harrison, K J B (?), Patrick Jackson, Harold Marshall, Cable Murray, Christine Brasfield, Joe Brasfield, Shauna Jo Eves, Ray Nash, Chris Clark, Wade Olsen, Ronda Olsen, Eric Olsen, Kevin Woodward, Bryan McCurdy, Ken Merrell, Jeremy Raymond, Marianne Wander, Jeremy McAlister, Jeremy Gilb, Sonya Norton, Jim Harper, and Craig Blunt.

***OTHERS ATTENDING***

At 7:30 p.m. Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Dan Olsen offered the invocation.

***OPENING CEREMONY***

Before the Mayor asked for approval of the agenda, he said they were going to remove item eleven from the agenda and under item eight he asked they remove the discussion of the Land Use Ordinance regarding kennels and household pets. Mayor Baker also asked if the Council would approve moving item twelve on the agenda to be heard after item five. Councilman Olsen asked if they would also add a discussion for final approval for the Farm Subdivision after the concept and preliminary plan approval. Councilman Long said he would also like to add something under other matters. Councilman Kitchen said he had a question on Councilman Olsen's request because they don't have the final plan in front of them. A representative from Uintah Engineering was there and said he has the changes for The Farm Subdivision. Dan Olsen **moved** to approve the agenda with the changes made. Robert Hall **seconded** the motion. The motion passed with all voting aye.

***AGENDA APPROVED***

Mayor Baker presented the minutes of the September 11, 2014 regular City Council meeting for approval. Mayor Baker

***MINUTES APPROVED***

excused Nikki Kay and stated Councilman Hall was filling in. Councilman Reynolds asked the Council to refer to page eleven, he said he was not at the last meeting and read through the minutes to see what went on and he questioned the last paragraph on page eleven about the Mayor's statement regarding who spoke for or against the street lights on 1900 South. Councilman Reynolds felt that statement made it sound like none of the comments made by residents in favor of the street lights mattered, only those that were opposed. Councilman Reynolds said when you have a public hearing, everyone's comment is just as important as someone else's. Councilman Reynolds said he would like to see the comment come out and let people read it and make their own opinion. Councilman Kitchen said he would have to concur with him, a public hearing is for the public. Mayor Baker said he didn't say none of the other comments counted he wanted to show those on 1900 South that were affected by it. Councilman Reynolds said with a comment like that what it says to him are the only comments that mattered were those from the people living on 1900 South. Councilman Reynolds said he would vote in favor of approving the minutes if that was taken out, but the others could decide. Councilman Kitchen said he didn't know if they could take it out because it reflects what was actually said, he said they can object to what was said but didn't know if they could remove it. Mayor Baker said that was his comment and if they want to take it out and throw it away, they could do that, but that was his comment. Councilman Reynolds said that would be the easiest way. Mayor Baker asked if Councilman Reynolds didn't want people to be able to make comments. Councilman Reynolds said he felt the Mayor's statement made it sound like no other comments that were made mattered. Mayor Baker said he just made a statement about those living on 1900 South and how many were for the lights and how many were against. Mayor Baker said if they want to censor his comments they can take it out because he doesn't have a vote. Councilman Reynolds also pointed out a grammar error on page thirteen that needs corrected and a roll call vote on page sixteen that needs corrected. Councilman Olsen said he agrees with Ken, not that they need to strike it, they need to clarify it. Mayor Baker asked how they want to clarify it. Dan Olsen **moved** to approve the minutes with the changes they've discussed and note that there was a question about the issue on page eleven. Dennis Long **seconded** the motion. The motion passed with a majority vote. Councilman Kitchen and

Councilman Reynolds abstained.

Mayor Baker asked if anyone had anything from the previous meeting to follow up on. Councilman Kitchen stated this is where Councilman Reynolds' comments could be validated in tonight's minutes. He said it appears the Mayor made a comment that, as a City, they want to clarify that all those who were in attendance and commented at the meeting, those comments are as valid as those who live on 1900 South. Councilman Kitchen said they need to put that in tonight's minutes and would make a **motion** that it is part of an addendum to the CIB. Mayor Baker said he was not trying to take out anyone's comments and the public is always welcome to make comments. Councilman Kitchen said if someone was just reading it at face value it doesn't appear that way. Councilman Kitchen **moved** to attach these minutes as an addendum to the public hearing minutes that go to the CIB. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

### ***FOLLOW UP ITEMS FROM PREVIOUS MEETING***

Mayor Baker asked if anyone had any questions on the bills. Connie Patton was absent. The amount presented was \$35,221.85. Dennis Long **moved** to accept the amount of \$35,221.85. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

### ***APPROVAL OF THE BILLS***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Shauna Jo Eves of the Uintah Recreation Center presented the Council with the projected costs of this year's Mayor's Halloween walk. Ms. Eves said the walk will be on the 31<sup>st</sup> and she invited all of the Council to attend and walk with the kids around the Community Center. She stated the walk would start at 4:00 p.m. Ms. Eves said this event has grown over the last couple of years. She said it started with just the Mayor's walk and then the Vernal Youth Council started the Fall Carnival. She said they've now combined those. Ms. Eves said the last three years they have done the Mayor's walk and the Fall Carnival. She said they have tightened up their budget a little bit and they are coming to them to ask for a donation of \$1,200 to help with this event again. Ken Reynolds **moved** to approve \$1,500 for the Mayor's Halloween Walk. Dan Olsen **seconded** the motion and challenged Vernal City to match the donation. The motion

### ***REQUEST FOR DONATION FOR MAYOR'S HALLOWEEN WALK***

passed with the following roll call vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Craig Blunt gave Council members a draft of the application being prepared to give to the CIB and the Association of Governments for support of the new fire station. Craig asked for feedback from the Council on the justification of why they are asking for funding from the CIB. Craig reviewed the cost of the project: City & Fire District share \$937,298; amount being requested from the CIB \$2,193,757; for a total project cost of \$3,121,055. Councilman Kitchen had a question on attachment three and said he couldn't remember when they put the community center on the one-year project list. Craig said they did that back in January. Councilman Reynolds said they would be reviewing that list tonight and it would change. Councilman Olsen said the committee for the fire station met and came up with additional reasons for the justification of the need for the fire station. Those reasons included the square miles of the oil field and the total oil well locations in that area and also the increased residential area covered. Council members complimented FFKR on the design of the building. Dan Olsen **moved** to authorize the Mayor to execute the application and present this at the CIB meeting in October. Robert Hall **seconded** the motion. The motion passed with all voting aye.

### ***CIB FIRE STATION GRANT APPLICATION APPROVAL***

**Police Department-** Chief Watkins came before the Council to request approval for travel. Chief Watkins said he had several requests and they were all in his budget. The first request was for Lieutenant Cox and Kimberly Kay to attend a homicide investigator class for a combined total of \$1,848.16. Dan Olsen **moved** to authorize the police department to travel for the amount stated. Robert Hall **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

### ***TRAVEL REQUEST***

Chief Watkins also requested one officer to attend an accident training class and another to participate in basic courtroom testimony training. The amount requested for these was \$654.85 and \$261.27. Dan Olsen **moved** to approve both of these requests. Gordon Kitchen **seconded** the motion. The motion passed with the following vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Chief Watkins reported that a few weeks ago the Utah Police Officers Association had their K-9 trials and competition. The department was asked to submit their trainer as a judge which was Lt. Cox. Lt. Cox was placed to judge patrol and tracking because two of his officers entered the competition in the narcotics' division. Chief Watkins stated that Corporal Garrett Whatcott took third place in vehicle narcotic searching for the state which included eighty teams. Chief Watkins said Corporal Whatcott and Nathan Simper took the top award of top agency for the whole state. He felt it was a remarkable accomplishment for their small department and their K-9 program. Mayor Baker said the department is to be congratulated for the work they do.

### ***RECOGNITION OF K-9 OFFICERS***

Craig Blunt said they have a presentation from the airport engineers before they start into the recommendations of the Planning Commission regarding the airport. Mayor Baker said the presentation was given to the Planning Commission and he felt it would be beneficial for the Council to see it. Jeremy Gilb of GDA Engineers said they wanted to make this as informative as possible. Mr. Gilb said GDA Engineers has been the airport engineer for the County and Vernal City going on twenty years. He said several years ago the FFA made the determination that the airport was going to stay where it is and it was going to be improved. Mr. Gilb said the current facility is deteriorating and will not last much longer. He said they have been trying to patch the pavement and seal coat as a bandage approach. Mr. Gilb said they have been in the planning and environmental stage for the last four or five years. He said the design process has started and they want to relocate and extend the runway 275' to the west of the existing runway. He reported the current runway is 6400 feet long and the new one will be 7000 feet long with an extension planned for the future. Mr. Gilb said they

### ***RECOMMENDATIONS FROM PLANNING AND ZONING***

have two more parcels of land they want to acquire for the future expansion. He said they do not plan to extend into 2500 South or 500 East and 500 South. He said the airport won't grow any more than this proposal it would have to move if the demand increased. Mr. Gilb stated the reason they are shifting the runway was to allow for continued use of the current runway while the new one is constructed. He said part of their petition is to re-zone the Hatch property to the airport zone and to vacate a 300' portion at the end of 1750 South. Mr. Gilb said they plan to pave the turn around on 1000 South with this upcoming project and to place the proper safety signage. Mr. Gilb said they would like the Council to consider the hammer head again at the end of 1750 South. He said it has the same turning ability as 1000 South and they would set the fence back to allow for a snow storage area. Mr. Gilb said they will install a ten-foot chain link fence along the places where it's more residential and a game fence along those less populated areas. Mr. Gilb said it is their goal to minimize the disruption of irrigation water and to put things back the way they were before and that means putting the water back in the same flow and same capacity as it was before. He said the irrigation will be impacted with the construction but their goal is to put it back the same way it was. He said they have met with the water users to obtain their input on getting things correct when they put those irrigation lines back. Mr. Gilb said the FFA doesn't arbitrarily build new airports, it is based on need and purpose and they have completed the surveys noting the increase in airport traffic and the type of aircraft using the airport. Mr. Gilb also reviewed the flight pattern for the area and stated this area has "uncontrolled" airspace. He said there are typical patterns around the airport and they are customary. He said Vernal is a left faced turn airport. He said that means pilots turn out left as they take off from the airport. He said the VOR and GPS approaches are written by the FFA and they have no control over them. Mr. Gilb shared information on noise levels, fire hydrants, and a noise wall on 1750 South. Mr. Gilb noted if they do the cul-de-sac turn around they have to end the sound wall a little sooner than if they do the hammer head turn around. Councilman Long asked about the homes on 2500 South that the County purchased and asked what would happen to them. Mr. Gilb said they would need to be removed if the airport expands in the future but for now they will remain the property of the County. Councilman Kitchen asked about the use of 1750 South for construction equipment. Mr. Gilb said they don't plan to use 1750 as a haul route. He said they would like to

use it when they demo the house and buildings at the end of the street but they don't plan to use it as a route to haul any of the construction material. Mr. Gilb said they would like to start with the fence project, the demolition of the Bowden property, and complete the water and sewer. He said next year they would start on the earth work and drainage and things would progress from there in phases. Councilman Kitchen asked if the turn around would be part of the first phase. Mr. Gilb said it would be but the County would be in charge of that project because the FFA will not fund those. Mr. Gilb also stated the County wanted to request the building permit fee for the fence be waived. Craig asked who would be doing the inspections. Mr. Gilb said the County would be doing those. Councilman Kitchen said they would need to put that on the next council agenda.

**Petition to Vacate 1750 South for Airport** - Dale Harrison the Chairman of the Planning Commission gave their recommendation of the two requests. Mr. Harrison said the Commission didn't really have a recommendation on 1750 South and thought they would leave the turn around at the end up to the Council. Councilman Kitchen said the matter of the type of turn around is another discussion and they need to address it separately. Mr. Harrison said the Planning Commission voted to recommend approval to vacate 1750 South. Gordon Kitchen **moved** to vacate 1750 South. Dan Olsen **seconded** the motion. Dale Harrison asked if there was any difference in the length of the hammer head turn around and the cul-de-sac. Councilman Kitchen said it doesn't affect vacating the road. The motion passed with all voting aye.

**Request to re-zone property from RA-1 to Airport** - Dale Harrison said the Planning Commission voted to approve the re-zone request from RA-1 to Airport. Dennis Long **moved** to approve the re-zone. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

**Re-zone application for 1500 S 500 E property from RA-1 to R-2** - Mayor Baker asked the applicants if they

wanted to make any comments to the Council. Mr. Brasfield said it was pretty self explanatory. Dale Harrison said a public hearing was held on this request and they had many people come and state they didn't want the Big Foot Bunkhouse because of traffic and other reasons. Mr. Harrison said the property owners came before them again with this request of RA-1 to R-2 so they could use it as a duplex rather than a bunk house. He said it was recommended by the Planning Commission to approve the zone change to an R-2 because it was in the area of other apartment and duplexes. Councilman Kitchen said he has a concern because the existing apartments and duplexes are in the County. Councilman Kitchen said he supports the work the Planning Commission does and he appreciates them. He said in this instance he doesn't agree because if they approve a one lot zone change then they open the door for anyone in the City to do the same. He said they make zoning plans to keep the city orderly. Councilman Kitchen said he was ready to make a motion but wanted to allow the others an opportunity to speak. Mayor Baker wanted to clarify that duplexes were not allowed in RA-1 zones. Craig said that was correct. Mayor Baker asked what the public opinion was on the second request for a change. Mr. Harrison said they only had one person comment and they stated the duplex would be a lot better fit to the area than the bunk house. Councilman Kitchen said he had a number of people that weren't able to be to the public hearing and they are opposed to the change. Mayor Baker said that can't be supported. He said that is like his statement. Mayor Baker said they had an opportunity to come to the meeting. Councilman Kitchen said as their elected official he is representing them. Mayor Baker said the recommendation of the Planning Commission was to approve the re-zone request. Mr. Brasfield said he wanted to make a comment. He said it fits the neighborhood and there are townhouses, duplexes, and fourplexes all around there. Councilman Hall said he wanted to echo some of Councilman Kitchen's concerns. He wondered at what point the Council is to say no when these re-zone requests are brought before them. He said the zoning is in place for a reason. Gordon Kitchen **moved** to leave the zone as is as an RA-1 and to not make a change to R-2. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye

Robert Hall

Aye

**Homestead II Subdivision Final Approval** - Dale Harrison said the Commission discussed the Homestead Subdivision final plat and the only issue they had was the lighting. He said the Commission felt additional lighting needed to be brought in on one of the curves to lighten it up. He said all the drainage issues were taken care of. Craig Blunt said one of the items they were working on was the fence and the boundaries. Craig said the subdivision chose to move their boundaries to the existing fencing and work with each of the property owners. Craig said that would be a stipulation on the plat. Mayor Baker said this would be a benefit to the property owners outside the subdivision, that the developer was willing to give up the parcels of land from what the survey showed to the fence line. The engineer for the subdivision was in attendance and he stated they are prepared to take care of these with quick claims. He said this would be an easier and cleaner way to take care of the issue. Dale Harrison said the recommendation of the Planning Commission was to go ahead with final approval, with the stipulation on the lights. Dan Olsen **moved** to approve the final plat for the Homestead Subdivision. Councilman Reynolds wanted to know if this was just for phase I. Cable Murray stated it was. Councilman Reynolds said he had a question on the irrigation. He said the run off comes down to the gutter and could be a nuisance to some of the people on 2000 East. Mr. Murray said they have, in their road design, the run off will come from Councilman Reynolds' place and ditch across the back of those lots and run parallel along 2000 East and culvert under the proposed tie in road for phase II and go into the existing culverts and catch boxes. Councilman Reynolds said he didn't care what they did with it, he just didn't want it to cause problems for residents there. Mr. Murray said the irrigation company and surrounding residents have been helpful in making sure they address those concerns. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

**The Farm Subdivision 2014 concept plan and preliminary plan for phase I** - Dale Harrison referred to The Farm 2014 Subdivision concept plan and showed where it creates the seven lots at the bottom, the cul-de-sac, the retention pond and the causeway. Mr. Harrison said this is a little different from the last time because there was not a 100' frontage and the turn around was redesigned. He said it also included the drainage from the causeway over to lot forty-two. Councilman Kitchen questioned if this addressed

the 100' lot widths and the roads to the 40' widths. Mayor Baker said the causeway was narrower. Councilman Kitchen asked why that was exempt. Councilman Olsen said that Mr. Nash brought up to the Planning Commission that issues was discussed in Phase II and built during Phase II of the old Farm Subdivision. Councilman Kitchen asked if the causeway exists right now. Councilman Olsen said it does. Councilman Kitchen asked if it has been paved. Councilman Olsen said it's not paved but it is shaped. Councilman Kitchen said they are developing a new subdivision and said it states in the Land Use Ordinance that the roads will be forty feet wide. He said they did that along with the wider lots because they were allowing the developers to give up green space. Councilman Kitchen said it was built during Phase II but was not part of Phase II. Mayor Baker said it never came to the Council. Councilman Olsen said it was presented to the Planning Commission that way. Craig Blunt said in their packet they should have multiple plats for the Farm. Craig showed the new concept being proposed and the concept that was proposed at the very beginning. He said if you look at the way the roads were set up there was no crossing between the two, there was no causeway. He said they realized they needed to get sewer and water across so they presented a Phase I and Phase IA. Craig said then a Phase II was presented and an overlay was not given of the original concept and changes were made in Phase II. One was the sale of property and the other was the connection of the two roads. Craig said one of the thoughts was it was an emergency access for emergency vehicles. Craig said there was some discussion between the Planner, the Mayor and the Engineer and the best that he could tell was they used the fire code to get minimum access for the road and there are no sizes listed. He said the discussion was held with the Mayor and the Planner but it never made it through the process for approval. Craig said the question now is for it to go before the Board of Adjustment or the City could add something to the subdivision ordinance putting a condition for emergency access. The condition would be that no building lots could be made on the sides. Mayor Baker said one of the concepts shows the road as a forty-foot road. Hal Marshall with Uintah Engineering said in that discussion they asked specifically how wide that would have to be so they could plan the slopes of the fill and the culverts that would have to be there. He said they asked if they would have to go the full width of the forty feet of pavement. Mayor Baker said he thought they were down to thirty-six because that was what the Ordinance stated. Mr. Marshall said the

comments that were made in the meeting was that as long as it met the fire vehicle passage across the causeway or the frontage of lots then it would be adequate to cross the gulch. Mr. Nash said the paved section will be as wide as 2000 East where it crosses the gulch. Councilman Kitchen said if anything was done on 2000 East it would have to be brought up to the zone, the forty feet. He said it is grandfathered in until something is done. Councilman Reynolds said they need to decide which way they want to go. Mr. Nash said a part of the Phase II plan showed the causeway at thirty-four feet wide. He said it might not have been focused on in their meeting but it is there and was provided to the Planning Commission. Mr. Nash said they did start this in Phase II, they just didn't top it off but this is a continuation of what was substantially done in Phase II. Mr. Marshall said part of the condition of Phase II is the causeway would be built as an emergency exit out. Mr. Nash said it was requested by the City that it be put in and they made a change to do it and then relied on those conversations in making the design work. He said they used those designs as they had to obtain permits from the Utah State Engineers and the Army Corp. of Engineers to enclose that stream. Mr. Nash said they have accommodated the concerns of the Planning Commission by agreeing to put a sidewalk in on one side. Mr. Nash said they relied on the guidance given in preparing their plans and it would be virtually impossible to go back and widen the causeway. Councilman Kitchen said he empathized that someone spoke for the City that maybe shouldn't have spoken for the City but they also should recognize the processes where someone couldn't speak for the City. He also said he understands that it's been said and if there was an agreement made then they might need to do some legal things so this does not come back on the City. Councilman Kitchen said this needs to be addressed in the proper manner, either through a zoning change or a variance. Mr. Nash wanted to know how they get started on their project. Dale Harrison said the safety issue was one of their major concerns in the Planning Commission discussions. Councilman Reynolds wanted to know if they can do a developers agreement. Mayor Baker said that could only be answered by Mr. Judd and even that would take additional time to work out the conditions. Councilman Olsen wanted to know if they could approve it contingent upon a developer's agreement and not make them wait any longer. Mr. Nash stated the urgency he felt in having lots ready to sell before it gets any later into the year. It was questioned if they could take the causeway out of this portion until the agreement is

ready. Craig reminded the Council of the 500-foot rule which meant Mr. Nash would either have to rough in the road or bond for it to tie into the 1820 South road. Mr. Nash said the Fire Marshall was okay with the design of the road. Craig stated it wasn't the design that is the issue but the City ordinance. Mr. Nash stated that drivers are using the road right now. Councilman Reynolds said he would like to see them be able to approve this if there was any way. Councilman Hall said he was ready to make a motion. Craig said he just wanted them to keep in mind that with a developers agreement they need to make sure the road is maintained. Craig said it would have to be plowed and emergency vehicles would have to be able to access it. Robert Hall **moved** to approve the concept plan for the Farm Subdivision, to include the sidewalk addition on the causeway, to move forward with the understanding that a developers agreement would need to be made to accommodate the changes the Planning and Zoning made and the remainder of the road is maintained so emergency access can be utilized. Dale Harrison raised a concern about the sidewalk on the causeway being pushed right to the edge of a drop off. Mr. Nash said there will be a fence along it. Councilman Kitchen said those things will need to be addressed in the agreement. Councilman Kitchen asked Chief Watkins his opinion on the safety issue. Chief Watkins stated whether or not the road is slated for emergency vehicles it will be used by the public and with the amount of children currently in the Farm Subdivision there will be a lot of pedestrian traffic on the road. He stated his preference would be to have a sidewalk on both sides of the road but it definitely needs to have it along at least one side. Council also recommended lights along there to help with the safety. Dan Olsen **seconded** the motion. The motion passed with all voting aye. Mr. Nash asked if the City could expedite the agreement as quick as possible.

**The Farm Subdivision Preliminary/Final Plan for Phase I** - Councilman Reynolds **moved** to approve the Preliminary/Final for Phase I contingent upon the developers agreement. Dennis Long **seconded** the motion. The motion passed with all voting aye.

**Land Use Changes to Chapters 02-21, 02-22, & 02-23 for Guest Homes or Casitas** - Dale Harrison said the Planning Commission chose to scratch the title of guest home because it was such a discrepancy of what they were considering to be a guest home. He said they wanted to keep

the idea of it being a single family structure and not as a rental unit. Mayor Baker wanted to know if they would add the definition of a casita. Craig said that would be later on. Councilman Kitchen said the discussion was to provide a place for family to take care of a family member in need. Councilman Kitchen pointed out some discrepancies in the descriptions. Craig said there was a handout given with a new definition as determined by the Planning Commission. Councilman Kitchen said he can see why they don't want the structure to turn into a rental property but asked why a family member couldn't accept money or pay money if they wanted to live there but didn't want to be a "free loader?" He wanted to know why they were trying to regulate it down to that point. He wanted to know why they couldn't put something in that said they can rent to family members. Dale Harrison said it was a big discussion in Planning Commission and because they didn't want the homes to be turned into rental units they mutually agreed to have it read they can't be rented. Craig wondered, under the new definition provided by the Planning Commission, if they could scratch "not rented, leased, or sold separate." Robert Hall **moved** to approve the change recommended by the Planning Commission with the change suggested by Craig. Gordon Kitchen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

**Land Use Ordinance Changes to definitions of Family & Guest House Chapter 02-02** Gordon Kitchen **moved** to accept the change in definitions as a first reading and have them brought back to the next meeting. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Craig Blunt handed out the drawings for the 1820 South road. Craig said the only change requested was on the signatures and they removed the city surveyor signature box.

***APPROVE 1820 SOUTH  
ROAD (THE FARM***

## ***SUBDIVISION)***

Councilman Reynolds asked if it has sidewalk on both sides. Craig said it does. Mayor Baker asked about the street lights. Craig said that was a good question. Mayor Baker said there should be a light at the intersection. Mr. Nash said there is one at the intersection of 2050 East. Councilman Olsen wanted to know how they are addressing the retaining wall on the north side. They discussed sloping the area and who was going to maintain it. Mr. Nash said he was not going to put sidewalk on the north east corner while they are still developing that because it would just get broken up. Councilman Olsen said there is a five-foot strip between the edge of the sidewalk and the property line and it drops down. Mr. Nash said when they prep for the sidewalk they can groom it if the property owners will just tell them what needs done. Councilman Olsen said they ought to include in their motion that the 1820 road continue down to the causeway as a temporary unimproved dirt road and be plowed in the winter. Hal Marshall asked if they could revisit a motion from earlier and this would be contingent upon if Mr. Nash agrees. Mr. Marshall said they threw out an idea that might work better than a developer agreement as far as the causeway. He said it was suggested to take the causeway out of this phase but not take it out of the concept, just not build it in this phase. He said they will still have a temporary road going across the causeway and cul-de-sac built on the rest of this phase and that will give them time to get an Ordinance change that will allow for a narrower road across the causeway. He said if that fails then ultimately they will have to build the full width because they are exceeding the 500 foot on the road they have built already. He said they have to have an exit across the causeway. Mr. Nash said he would like to build the causeway because they have the bond and the resources. He said if they delay he doesn't want to delay for very long. Mr. Marshall said if they go for the agreement and the attorney doesn't approve it then they are shut down for the year. Councilman Kitchen said they could begin the process for both, begin the process for a change in the zoning ordinance if they don't think the agreement is going to work. Mr. Marshall said the only issue is they still have the causeway in this phase which could stop the phase. Councilman Olsen questioned what they would do to the retention pond. Mr. Marshall said they could temporarily ditch over to the retention pond. Mr. Nash said he would like something definitive so he can issue building permits. Eric Olsen pointed out that Mr. Nash is building the causeway next Spring and he could have the winter to allow them to work out the bumps with the ordinance or he's

building the whole phase next Spring. Mr. Olsen thought it would take at least another three to four weeks to work out the developers agreement. Mr. Nash said he would like to be able to finish off those lots. Mr. Marshall said they would be able to finish the lots on that phase. Mr. Marshall said they are not taking out the idea of having a road there, it will just give them time to work out an alternative or a change. Councilman Olsen asked what they are proposing. Mr. Marshall said they would just cut out the radius of the intersection. Mr. Nash stated he doesn't want to be paying more money and wondered how they can do this as simply as possible. Mr. Marshall said they could just do it with a motion to take the road out of this phase. Dan Olsen **moved** to approve the road plan as presented and to continue 1820 down to the causeway as a temporary unimproved dirt road for emergency use with a street light on 2000 East. Dennis Long **seconded** the motion. The motion passed with all voting aye.

Dan Olsen **moved** to go back to item eight for further discussion on the preliminary/final plan for phase I of the Farm Subdivision. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***MOTION TO REVISIT  
DISCUSSION ON THE  
FARM PRELIMINARY  
PLAN FOR PHASE I***

Mayor Baker said they have a proposal from the engineer to take the causeway road out of phase I and to approve the lots in phase I. Councilman Olsen stated those would be lots thirty-four through forty. Councilman Kitchen questioned how far out they were going. Mayor Baker said just to the radius and they pointed out on the map where it would end. Dennis Long **moved** to approve the concept of phase I with lots thirty-four through forty and to take the road across the causeway out of this phase. Dale Harrison just wanted to make sure the dirt at the end of the causeway was compacted enough so no dirt is tracked back out onto the road. Councilman Kitchen asked about the right-of-way and how it would affect lots thirty-five and thirty-seven and would there be enough. Mr. Marshall said it would still keep that sixty-foot right-of-way. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

Councilman Kitchen questioned the retention pond and wanted to make sure that phase I and phase II can feed into it. Mr. Nash said they have already built it. Mr. Nash said he couldn't put the road in until the pipes were in. Craig Blunt said the Planning Commission recommended the City have an engineer look at the system and make sure it is adequate.

Gordon Kitchen **moved** to go back to item ten. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***TRAVEL APPROVAL FOR  
ROAD DEPARTMENT***

Jim Harper asked for approval to transport the skid steer to Salt Lake City for warranty work. Kenneth Reynolds **moved** to approve \$30 for travel. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Council members received a list of the CIB projects for the year 2014/2015. Councilman Olsen said they want to move the fire station to the top of the list. He also suggested moving the 1900 South street lights to number two and then the 2500 South drainage with the community center as number four. Dan Olsen **moved** to accept the list as discussed. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***PRIORITIZE CIB  
PROJECTS LIST FOR  
2014/2015***

Councilman Long wanted the Council to know the City would be allowed to have one day a year to use the new conference center. He said the City could consider holding a Christmas party there when it's complete.

***OTHER MATTERS -  
FUTURE COUNCIL  
MATTERS***

Gordon Kitchen **moved** to adjourn the meeting at 11:00. Kenneth Reynolds **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***MOTION TO ADJOURN***

APPROVED BY COUNCIL ON THE 9<sup>th</sup> DAY OF OCTOBER 2014

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_